

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

Presentment Date: February 24, 2020

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IN RE:	:	CASE NO.: 17-41536-nhl
	:	
Kathleen Daniel Kernizan,	:	CHAPTER: 7
<i>aka Kathleen Daniel</i>	:	
<i>aka Kathleen D Kernizan</i>	:	HON. JUDGE.:
<i>aka Kathleen Kernizan</i>	:	NANCY HERSEY LORD
	:	
Debtor.	:	
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NOTICE OF SETTLEMENT

PLEASE TAKE NOTICE, that the annexed proposed order will be presented for settlement to the Honorable Judge Nancy Hersey Lord at the United States Bankruptcy Court, Eastern District of New York, located at 271-C Cadman Plaza East, Brooklyn, NY 11201 on February 24, 2020. Any counter proposal or objection to the Order must be filed with the Court and served upon Friedman Vartolo, LLP, two days prior to the Settlement Date.

Dated: February 6, 2020
Garden City, New York

By: /s/ Richard Postiglione, Esq
Richard Postiglione, Esq.
FRIEDMAN VARTOLO LLP
Attorneys for Movant
1325 Franklin Avenue, Suite 230
Garden City, New York 11530
T: (212) 471-5100
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	: : CHAPTER: 7 :
Kathleen Daniel Kernizan	: : HON. JUDGE.: : Nancy Hershey Lord :
<i>aka Kathleen Daniel</i>	:
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<i>aka Kathleen Kernizan,</i>	:
	:
	:
Debtor.	: :
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**ORDER GRANTING RELIEF FROM
THE AUTOMATIC STAY**

UPON consideration of the Application of SN Servicing Corporation as servicer for U.S. Bank Trust National Association as Trustee of Chalet Series III Trust (“Movant”) dated October 15, 2019, and it appearing that neither the Debtors nor the Chapter 7 Trustee nor the U.S. Trustee have opposition to the motion brought by Movant, for relief from the automatic stay, and with good cause appearing therefore, it is

ORDERED that the automatic stay, heretofore in effect pursuant to 11 U.S.C. 362(a), is hereby vacated for cause pursuant to 11 U.S.C. 362(d)(1) and (d)(2) as to Movant, its agents, assigns or successors in interest, so that Movant, its agents, assigns or successors in interest, may pursue its state law remedies with respect to the premises known as 1578 East 51st Street, Brooklyn, NY 11234 without further application to this Court, and it is further

ORDERED that in the event this case is converted to a case under any other chapter of the U.S. Bankruptcy Code, this Order will remain in full force and effect; and it is further

ORDERED that the Movant shall promptly report and turn over to the Chapter 7 Trustee any surplus monies realized by any sale of the Property.

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	:	
Debtor.	:	
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CERTIFICATE OF SERVICE

On February 6, 2020, I served a true copy of the annexed **NOTICE OF SETTLEMENT AND PROPOSED ORDER** by mailing the same by First Class Mail in a sealed envelope, with postage prepaid thereon, in a post office or official depository of the U.S. Postal Service within the State of New York, addressed to the last known address of the addressee, and the property address as indicated on the attached Service List annexed hereto.

Dated: February 6, 2020
Garden City, New York

By: /s/ Richard Postiglione
Richard Postiglione, Esq.
FRIEDMAN VARTOLO LLP
Attorneys for Movant
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SERVICE LIST

TO:

Kathleen Daniel Kernizan
521 Ralph Avenue
#321
BROOKLYN, NY 11234

Debtor

Max Kernizan
1578 East 51st Street
Brooklyn, NY 11234

Co- Borrower

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Law Office of Julian L Alfonso
175-61 Hillside Avenue
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Debtors' Attorney

Lori Lapin Jones
Lori Lapin Jones PLLC
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Trustee

Holly R. Holecek
LaMonica Herbst & Maniscalco LLP
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Wantagh, NY 11793

Office of the United States Trustee
Eastern District of NY (Brooklyn Office)
U.S. Federal Office Building
201 Varick Street, Suite 1006
New York, NY 10014

U.S. Trustee

Rosicki, Rosicki & Associates, P.C.
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